



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

TUESDAY, MAY 8, 2007

CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA

### COMMISSIONERS

CHAIR ROBERT J. BENICH  
VICE-CHAIR ROBERT L. ESCOBAR  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER SUSAN KOEPP-BAKER  
COMMISSIONER MIKE R. DAVENPORT  
COMMISSIONER RALPH LYLE  
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

\*\*\* A G E N D A \*\*\*

### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes*

## PLANNING COMMISSION MEETING AGENDA

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### **DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

#### **OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** March 27, 2007 and April 24, 2007

#### **PUBLIC HEARING:**

- 1) **ZONING AMENDMENT, ZAA-05-09/DEVELOPMENT AGREEMENT, DA-07-01: CHURCH-ALCINI:** A request to amend an approved precise development plan on a 3.5-acre site located on the northwest corner of the intersection of Monterey Rd. and Bisceglia Ave. The proposed amendment is to alter the configuration of the 30 multi-family units and the 11,200 sq. ft. of commercial space. Also requested is approval of a project development agreement. (APNs 817-01-061, 062, 063 & 064)

**Recommendation:** Open Public Hearing/Adopt Resolutions with recommendation to forward requests to the City Council for approval.

- 2) **USE PERMIT, UP-07-01: E. DUNNE-HO:** A request for approval of a conditional use permit to allow a 2056 sq. ft. restaurant to locate within the commercial building on the northwest corner of the intersection of E. Dunne Ave. and Murphy Ave. The proposed restaurant use would be exempt from environmental review pursuant to CEQA section 15303. (APN 728-17-028)

**Recommendation:** Open Public Hearing/Adopt Resolution.

- 3) **PLANNING COMMISSION WORKPLAN FOR FISCAL YEAR 2007-08:**

**Recommendation:** Staff recommends that the Planning Commission review and comment on proposed workplan, for submittal to the City Manager/City Council as part of the budget process.

- 4) **ZONING AMENDMENT, ZA 07-06: CITY OF MORGAN HILL-CHANGES TO THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM STANDARDS & CRITERIA:** A request to amend Chapter 18.78 of the Morgan Hill Municipal Code, amending the evaluation standards and criteria for proposed residential developments as set forth in Sections 18.78.200 through 18.78.410 of the Municipal Code.

**Recommendation:** Open Public Hearing/Continue item to the May 22, 2007 meeting.

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### 5) REVIEW OF RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) PROJECTS THAT ARE BEHIND SCHEDULE AND CONSIDER TRANSFER OF FISCAL YEAR BUILDING ALLOCATIONS BETWEEN RDCS PROJECTS:

**Recommendation:** Discussion/Direction.

### UPCOMING AGENDA ITEMS FOR THE MAY 22, 2007 MEETING:

- ZAA-81-10: Peak-Taylor Wheeler Planning/Pacific Coast Manor
- SD-07-02: E. Dunne-Delco/Denova
- DAA-04-09: E. Dunne-Delco/Denova
- ELBA-07-04/MC-05-12: E. Dunne-Kruse
- ELBA-07-05/ MC-05-04: Monterey-Sherman
- ELBA-07-05/MC-05-12: Depot-The Granary
- DAA-06-06: Monterey-Gunter
- DAA-07-01: Church-Alcini

### ANNOUNCEMENTS:

### CITY COUNCIL REPORTS

### ADJOURNMENT

### *SPEAKER CARD*

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### *NOTICE*

### *AMERICANS WITH DISABILITY ACT (ADA)*

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

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**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*